

**REMARKS**

Claims 1-9, 16-19, 23, 24, 26-38, 40-43, and 51-64 were pending in the present application. By this response, claims 28 and 51-64 have been cancelled, and claims 1, 3, 16, 17, 24, and 31 have been amended. Accordingly, claims 1-9, 16-19, 23, 24, 26, 27, 29-38, and 40-43 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

**Claim Objection**

In response to the Examiner's objection stated in the Office Action, the "grammatical errors" in claim 24 have been corrected by this amendment.

**Rejections under 35 U.S.C. §102(b)**

All pending claims were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Moll (U.S. Patent No. 5,305,121).

In response, claims 1 has been amended to incorporate the subject matter contained in former claim 28, i.e., that the articulating element "further comprises a steerable shaft." Similarly, claim 31 has been amended to recite the step of "steering a steerable shaft on the articulatable element." Support for the recited matter is found at least in paragraphs 0043 through 0049, and FIGS. 6 through 8A. These limitations are not taught, disclosed, or suggested by the Moll patent, which instead describes cameras (15a and 15b) supported by support rods (17a and 17b) that have shape memory. (See Col. 3, ll. 10-26). As stated in the Moll patent: "The support rods 17a and 17b have sufficient stiffness and sturdiness to deploy in a highly consistent and controlled manner." (Col. 3, ll. 20-22). Accordingly, rather than having a "steerable shaft" as recited in the present claims, the support rods of the Moll device deflect due to their shape memory properties.

In the rejection of claim 28 in the pending Office Action, the Examiner stated that "Moll discloses an apparatus for obtaining endoluminal access, wherein the elongate body is steerable, rigidizable and has a steerable shaft (see Col. 6, lines 23-53)." Applicant respectfully disagrees with the Examiner's characterization of the Moll patent. No teaching of a steerable shaft (or of a steerable or rigidizable body) is included in the portion of the Moll patent referenced by the Examiner, nor is

there any teaching of the step of steering a steerable shaft. Accordingly, the rejections of claims 1 and 31 should be withdrawn.

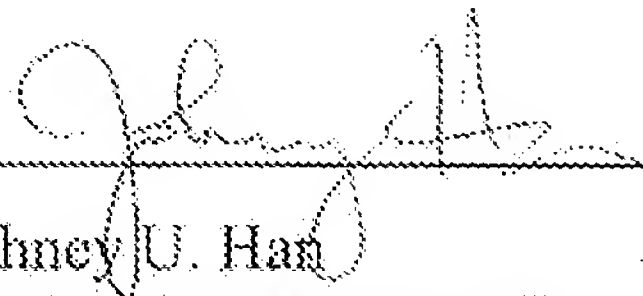
The remaining claims all depend from one or the other of claims 1 and 31, and should therefore be allowed on the same basis.

### CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the appropriate fee and/or petition is not filed herewith and the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to Deposit Account No. 50-3973 referencing Attorney Docket No. USGINZ00700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



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Johny U. Han  
Registration No. 45,565

Charles C. Fowler  
Registration No. 39,675

Customer No. 40518  
Levine Bagade LLP  
2483 East Bayshore Road, Suite 100  
Palo Alto, CA 94303  
Direct: (650) 242-4217  
Fax: (650) 284-2180